

2. Remarks/Discussion of Issues:

Claim Summary

By this amendment, claims 6-11 have been canceled, without prejudice and without disclaimer of the subject matter, and claim 3 has been amended to correct a minor informality.

Claims 1-3, 5 and 12 are pending in the application. Applicants respectfully submit that all pending claims are in condition for allowance.

Allowed Claims

Applicants note with appreciation that the Examiner has allowed claims 1-3, 5 and 12. Although Applicants do not acquiesce in the rejection of claims 6-11 under 35 U.S.C. § 103(a) as being unpatentable over IWAMATSU (U.S. Patent No. 6,175,591), Applicants have cancelled claims 6-11, without prejudice and without disclaimer of the subject matter, in order to expedite passing the allowed claims of the present application to issue.

35 U.S.C. § 103 Rejections - Claims 6-11

The Office Action of August 11, 2008, rejects claims 6-11 under 35 U.S.C. § 103(a) as being unpatentable over IWAMATSU (U.S. Patent No. 6,175,591). Applicants respectfully submit that the rejection is moot in view of the cancelation of claims 6-11, without prejudice and without disclaimer of the subject matter.

Conclusion

If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Application Serial Number 09/846,138
Response to Final Office Action
Dated February 9, 2009

Response under 37 C.F.R. § 1.116

Respectfully submitted on behalf of:

Agilent Technologies, Inc.

A handwritten signature in black ink, appearing to read 'V-C Ernest', is written over a horizontal line.

by: Van C. Ernest
Reg. No. 44,099

Date: April 9, 2009

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